

House File 808 - Enrolled

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HOUSE FILE 808

AN ACT

CONCERNING ACCOUNTABILITY REQUIREMENTS FOR ENTITIES,
ADMINISTRATORS, AND BOARDS CREATED FOR JOINT EXERCISE OF
GOVERNMENTAL POWERS AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 28E.6, subsections 2 and 3, Code 2007,
are amended to read as follows:

2. ~~The entity created or the administrator or joint board~~
specified in the agreement shall be a governmental body for
purposes of chapter 21 and ~~the entity created shall be a~~
government body for purposes of chapter 22 unless the entity
created or agreement includes public agencies from more than
one state.

3. ~~a. All A summary of the~~ proceedings of each regular,
adjourned, or special meeting of the ~~joint board of the entity~~
~~created or the administrator or joint board specified in the~~
agreement, including the schedule of bills allowed, shall be
published after adjournment of the meeting in ~~a one~~ newspaper
of general circulation within the geographic area served by
~~the joint board of the entity created or the administrator or~~
~~joint board specified in the agreement. The summary of the~~
~~proceedings shall include the date, time, and place the~~
~~meeting was held, the members present, and the actions taken~~
~~at the meeting. The joint board of the entity created or the~~
~~administrator or joint board specified in the agreement shall~~
furnish ~~a copy~~ the summary of the proceedings to be ~~published~~
~~submitted for publication~~ to the newspaper within ~~one week~~
~~twenty days~~ following adjournment of the meeting. The
publication of the schedule of bills allowed shall include a
list of all salaries paid for services performed, showing the
name of the person or firm performing the service and the
amount paid. ~~The publication of the schedule of bills allowed~~
~~may consolidate amounts paid to the same claimant if the~~

~~purpose of the individual bills is the same. However, the~~
names and gross salaries of persons regularly employed by the
entity created ~~or the administrator or joint board specified~~
in the agreement shall only be published annually.
b. ~~An entity created which had a cash balance, including~~
~~investments, of less than one hundred thousand dollars at the~~
~~end of the previous fiscal year and which had total~~
~~expenditures of less than one hundred thousand dollars during~~
~~the prior fiscal year is not required to publish as required~~
~~in paragraph "a". However, such an entity shall file without~~
~~charge, in an electronic format, the information described in~~
~~paragraph "a" with the office of the county recorder in the~~
~~most populous county served by the entity. The county~~
~~recorder shall make the information submitted available to the~~
~~public, which information shall also include access to a copy~~
~~of the agreement creating the entity.~~

c. ~~This subsection shall not apply if the to an entity or~~
~~the administrator or joint board specified created in the an~~
agreement ~~that~~ includes public agencies from more than one
state ~~or to a contract entered into pursuant to section~~
~~28E.12.~~

Sec. 2. Section 28E.8, Code 2007, is amended to read as
follows:

28E.8 FILING AND RECORDING.

1. a. Before entry into force, an agreement made pursuant
to this chapter shall be filed, ~~in an electronic format,~~ with
the secretary of state ~~and recorded with the county recorder~~
~~in a manner specified by the secretary of state. In counties~~
~~in which the office of county recorder is abolished, the~~
~~agreement shall be recorded with the county auditor.~~

b. Any amendment, modification, or notice of termination
of an agreement made pursuant to this chapter shall be filed,
in an electronic format, with the secretary of state within
thirty days of the effective date of the amendment,
modification, or termination, in a manner specified by the
secretary of state.

3 4 2. a. In addition to subsection 1, each entity subject to
3 5 section 28E.5 shall submit, in an electronic format, an
3 6 initial report to the secretary of state as prescribed by the
3 7 secretary of state. The report shall include, as applicable,
3 8 the name of the entity created, the board members of the joint
3 9 board created, whether the entity is exempt from the
3 10 publication requirements of section 28E.6, subsection 3, a
3 11 valid electronic mail address, and any additional information
3 12 the secretary of state deems appropriate.
3 13 b. Following submission of an initial report pursuant to
3 14 paragraph "a", each entity subject to section 28E.5 shall
3 15 submit, in an electronic format, a biennial report to the
3 16 secretary of state in a manner prescribed by the secretary of
3 17 state by April 1 of every odd-numbered year beginning in
3 18 calendar year 2009.

3 19 Sec. 3. JOINT EXERCISE OF GOVERNMENTAL POWERS == REPORTING
3 20 REQUIREMENTS == TRANSITION PROVISION. Notwithstanding any
3 21 provision of section 28E.8, subsection 2, as enacted by this
3 22 Act, to the contrary, an entity created prior to January 1,
3 23 2008, shall be required to submit an initial report to the
3 24 secretary of state by July 1, 2008.

3 25 Sec. 4. EFFECTIVE DATE.

3 26 1. The section of this Act amending section 28E.6, being
3 27 deemed of immediate importance, takes effect upon enactment.

3 28 2. The sections of this Act amending section 28E.8 and
3 29 enacting a transition provision take effect January 1, 2008.

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3 34 PATRICK J. MURPHY
3 35 Speaker of the House

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4 4 JOHN P. KIBBIE
4 5 President of the Senate

4 6 I hereby certify that this bill originated in the House and
4 7 is known as House File 808, Eighty-second General Assembly.

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4 11 _____
4 12 MARK BRANDSGARD
4 13 Chief Clerk of the House

4 13 Approved _____, 2007

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4 17 CHESTER J. CULVER
4 18 Governor